

# PUBLIC MATTER

ORIGINAL

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AUG 06 2008

STATE BAR COURT  
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LOS ANGELES

THE STATE BAR OF CALIFORNIA  
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## THE STATE BAR COURT

### HEARING DEPARTMENT - LOS ANGELES

In the Matter of	) Case No. 07-O-11692
MARY ELIZABETH BULLOCK,	)
No. 153212,	) NOTICE OF DISCIPLINARY CHARGES
A Member of the State Bar.	)

### NOTICE - FAILURE TO RESPOND!

IF YOU FAIL TO FILE AN ANSWER TO THIS NOTICE WITHIN THE TIME ALLOWED BY STATE BAR RULES, INCLUDING EXTENSIONS, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL, (1) YOUR DEFAULT SHALL BE ENTERED, (2) YOU SHALL BE ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR AND WILL NOT BE PERMITTED TO PRACTICE LAW UNLESS THE DEFAULT IS SET ASIDE ON MOTION TIMELY MADE UNDER THE RULES OF PROCEDURE OF THE STATE BAR, (3) YOU SHALL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOUR DEFAULT IS SET ASIDE, AND (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.

STATE BAR RULES REQUIRE YOU TO FILE YOUR WRITTEN RESPONSE TO THIS NOTICE WITHIN TWENTY DAYS AFTER SERVICE.

IF YOUR DEFAULT IS ENTERED AND THE DISCIPLINE IMPOSED BY THE SUPREME COURT IN THIS PROCEEDING INCLUDES A PERIOD OF ACTUAL SUSPENSION, YOU WILL REMAIN SUSPENDED FROM THE PRACTICE OF LAW FOR AT LEAST THE PERIOD OF TIME SPECIFIED BY THE SUPREME COURT. IN ADDITION, THE ACTUAL SUSPENSION WILL CONTINUE UNTIL YOU HAVE REQUESTED, AND THE STATE

**BAR COURT HAS GRANTED, A MOTION FOR TERMINATION OF THE ACTUAL SUSPENSION. AS A CONDITION FOR TERMINATING THE ACTUAL SUSPENSION, THE STATE BAR COURT MAY PLACE YOU ON PROBATION AND REQUIRE YOU TO COMPLY WITH SUCH CONDITIONS OF PROBATION AS THE STATE BAR COURT DEEMS APPROPRIATE. SEE RULE 205, RULES OF PROCEDURE FOR STATE BAR COURT PROCEEDINGS.**

**The State Bar of California alleges:**

## JURISDICTION

1. MARY ELIZABETH BULLOCK ("Respondent") was admitted to the practice of law in the State of California on June 5, 1991, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 07-O-11692  
Business and Professions Code, section 6068(a)  
[Failure to Comply With Laws - Prohibited Outside Employment]

2. Respondent wilfully violated Business and Professions Code, section 6068(a), by accepting employment outside her official duties with the Equal Employment Opportunity Commission, by rendering advice or analysis regarding equal employment opportunity law or its application, and by accepting compensation for representational services in violation of 5 C.F.R. § 7201.102, and by accepting compensation for prosecuting a complaint against the United States in violation of 18 U.S.C. § 203 and 18 U.S.C. § 205, as follows:

3. At all times relevant to the events alleged herein, Respondent was an Administrative Law Judge of the Equal Employment Opportunity Commission (“EEOC”).

4. At all times relevant to the events alleged herein, Gigi Castillo (“Castillo”) was employed as an investigator with the EEOC.

5. On or about December 26, 2000, Castillo filed a discrimination and retaliation complaint against her employer, the EEOC, in the United States District Court, Southern District of California entitled *Gigi Castillo v. Ida Castro, et al.*, Complaint No. 00CV2560IEG (JFS) (“discrimination complaint”).

6. In or about June 2005, Respondent approached Castillo and informed her that Respondent would be retiring from the EEOC in or about July 2005, and that she could

1 substitute in as Castillo's attorney of record in the discrimination complaint. In or about June  
2 2005, Castillo employed Respondent to represent her in the discrimination complaint.

3 7. At the time that Castillo employed Respondent as her attorney, Respondent was still  
4 employed as an Administrative Law Judge with the EEOC. Respondent did not submit her  
5 request for retirement as an Administrative Law Judge with the EEOC until in or about  
6 November 2005. Respondent's retirement did not become effective until in or about February  
7 2007.

8 8. On or about July 11, 2005, Respondent left a voice mail with opposing counsel, Beth  
9 Levine, indicating that Respondent was representing Castillo in the discrimination complaint.

10 9. On or about July 14, 2005, Respondent appeared in court telephonically as Castillo's  
11 attorney at a case management conference in the discrimination complaint.

12 10. On or about July 16, 2005, Castillo paid and Respondent accepted \$5,000 as  
13 advanced legal fees for her representation in the discrimination complaint.

14 11. From in or about June 2005 until in or about August 2005, Respondent rendered  
15 legal advice and analysis to Castillo regarding equal employment opportunity law and its  
16 application to the discrimination complaint.

17 12. By accepting outside employment while employed as an Administrative Law Judge  
18 with the EEOC, rendering legal advice and analysis to Castillo regarding equal opportunity  
19 employment law and its application, accepting compensation from Castillo to act as her counsel,  
20 and by actually acting as Castillo's counsel, and by accepting compensation for prosecuting a  
21 complaint against the United States, Respondent acted in wilful violation of 5 C.F.R. § 7201.102,  
22 18 U.S.C. § 203, and 18 U.S.C. § 205, and thereby failed to support the laws of the United  
23 States.

24 COUNT TWO

25 Case No. 07-O-11692  
26 Rules of Professional Conduct, rule 4-200(A)  
[Illegal Fee]

27 13. Respondent wilfully violated Rules of Professional Conduct, rule 4-200(A), by  
28 entering into an agreement for, charging, or collecting an illegal fee, as follows:

14. The allegations of paragraphs 3 through 11 are incorporated by reference.

15. At all times relevant to the events alleged herein, Respondent was prohibited from accepting compensation from employment outside her official duties with the EEOC pursuant to 5 C.F.R. § 7201.102, and from accepting compensation for prosecuting a complaint against the United States pursuant to 18 U.S.C. § 203 and 18 U.S.C. § 205.

16. By accepting a legal fee which she was prohibited by law from accepting, Respondent entered into an agreement for, charged, or collected an illegal fee in wilful violation of rule 4-200(A), Rules of Professional Conduct.

COUNT THREE

Case No. 07-O-11692  
Rules of Professional Conduct, rule 3-300  
[Business Transaction With a Client]

17. Respondent wilfully violated Rules of Professional Conduct, rule 3-300, by entering into a business transaction with a client without complying with the requirements that the transaction and its terms be fair and reasonable to the client; the transaction and its terms be fully disclosed and transmitted in writing to the client in a manner which should reasonably have been understood by the client; the client be advised in writing that the client may seek the advice of an independent lawyer of the client's choice; the client be given a reasonable opportunity to seek that advice; and the client thereafter consent in writing to the terms of the transaction or acquisition, as follows:

18. The allegations of paragraphs 3 through 11, and 15 are incorporated by reference.

19. In or about July 2005, Respondent asked Castillo to loan her \$2,000.

20. Thereafter, pursuant to Respondent's request, Castillo agreed to loan \$2,000 to Respondent.

21. Pursuant to Respondent's request for the loan, on or about July 16, 2005, Castillo gave Respondent a check made payable to Respondent in the amount of \$2,000.

22. The terms of the loan did not provide for a maturity date or payment of interest. The terms of the loan were unfair and unreasonable because there was no maturity date and did not provide for the payment of interest.

1           23. The terms of the loan did not require Respondent to provide any security to Castillo  
2 to secure repayment of the loan, and Respondent did not provide any security to Castillo. The  
3 terms of the loan were unfair and unreasonable because the loan was unsecured.

4           24. Prior to accepting the loan, Respondent failed to reduce the terms of the transaction  
5 to a written contract, and failed to disclose the terms of the transaction in writing to Castillo in a  
6 manner which should reasonably have been understood by her. Prior to accepting the loan,  
7 Respondent failed to advise Castillo in writing that she could seek the advice of an independent  
8 lawyer of her choice. Prior to accepting the loan, Respondent failed to allow Castillo a  
9 reasonable opportunity to seek independent legal advice. Prior to accepting the loan,  
10 Respondent failed to obtain Castillo's written consent to the terms of the loan.

11           25. Thereafter, Respondent failed to pay any portion of the \$2,000 loan to Castillo.

12           26. At no time did Respondent pay any interest to Castillo.

13           27. By entering into a business transaction with terms that were unfair and unreasonable  
14 to Castillo; failing to disclose the terms of the transaction in writing to Castillo in a manner  
15 which should reasonably have been understood by her; failing to advise Castillo in writing that  
16 she may seek the advice of an independent attorney; failing to give Castillo a reasonable  
17 opportunity to seek the legal advice; and failing to obtain Castillo's written consent to the loan,  
18 Respondent improperly entered into a business transaction with a client, in wilful violation of  
19 Rule 3-300, Rules of Professional Conduct.

20                           **NOTICE - INACTIVE ENROLLMENT!**

21           **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**  
22           **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**  
23           **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**  
24           **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**  
25           **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**  
26           **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**  
27           **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**  
28           **RECOMMENDED BY THE COURT. SEE RULE 101(c), RULES OF**  
                              **PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

**NOTICE - COST ASSESSMENT!**

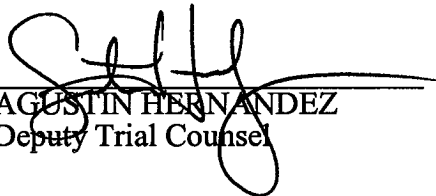
**IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE,**  
                              **YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY**  
                              **THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF**

1       **THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE**  
2       **SECTION 6086.10. SEE RULE 280, RULES OF PROCEDURE OF THE**  
3       **STATE BAR OF CALIFORNIA.**

4                       Respectfully submitted,

5                       THE STATE BAR OF CALIFORNIA  
6                       OFFICE OF THE CHIEF TRIAL COUNSEL

7       Dated: August 6, 2008

8       By:   
9               AGUSTIN HERNANDEZ  
10              Deputy Trial Counsel

DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER(s): 07-O-11692

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California 90015, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7160 3901 9844 3982 4394, at Los Angeles, on the date shown below, addressed to:

By United States Certified Mail	Courtesy Copy By United States Mail
MARY E. BULLOCK 401 B STREET, 5 FLOOR SAN DIEGO, CALIFORNIA 92101	MARY E. BULLOCK 3955 FAIRCROSS PLACE, #78 SAN DIEGO, CALIFORNIA 92115

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: August 6, 2008

SIGNED:

  
BERNARD PIMENTEL  
Declarant